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### FAX COVER LETTER

May 1, 2003

**TO:** Examiner B. Fubara  
**COMPANY:** USPTO  
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**FROM:** Louis C. Cullman  
**DIRECT DIAL:** 949 823 6013  
**EMAIL**

**RE:**  
Applicant: Fitzhugh et al.  
Serial No.: 09/865242  
Filed: May 25, 2001  
Title: NITRIC OXIDE-RELEASING METALLIC MEDICAL DEVICES  
Examiner: B. Fubara  
Group Art Unit: 1615  
Atty Docket No.: 17363.38

**COMMENTS:** Please see attached.

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PATENT

## CERTIFICATE OF FACSIMILE

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Trudi Thompson

Applicant: **Fitzhugh et al.**  
Serial No.: **09/865242**  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
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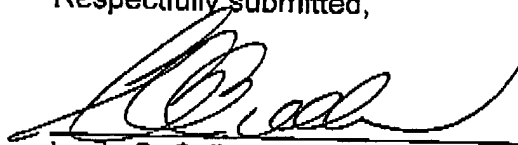
Sir:

In accordance with 37 C.F.R. § 1.56, the Applicant submits herewith patents, publications, or other information of which they are aware that may be considered in connection with the above-referenced patent application. The submission of this Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "material" to Applicant's invention as that term is currently defined in 37 C.F.R. § 1.56 (37 CFR § 1.97(h)).

This transmittal is being submitted to replace the transmittal submitted on March 24, 2003. The transmittal submitted on March 24, 2004 made referenced to a Ulibarri et al. reference. This was an error. The Applicant apologizes for any inconvenience this may have caused.

Respectfully submitted,

Date:

5/1/03

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